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REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

Report of the Sixth Committee

Rapporteur: Ms. Pascaline BOUM (Cameroon)

I. INTRODUCTION

1. The item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" was included in the provisional agenda of the fifty-first session of the General Assembly pursuant to Assembly resolution 50/52 of 11 December 1995.

2. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 5th to 8th, 49th and 50th meetings, on 26, 27 and 30 September and on 27 and 29 November 1996. The summary records of those meetings contain the views of the representatives who spoke during the Committee's consideration of the item (A/C.6/51/SR.5-8, 49 and 50).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[1]

(b) Report of the Secretary-General on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter (A/51/317).

5. In its report, which was introduced by its Chairman at the 5th meeting of the Sixth Committee, on 26 September, the Special Committee had, inter alia, invited the General Assembly at its fifty-first session to consider the question of an appropriate organizational framework for addressing further the implementation of the provisions of the Charter of the United Nations relating to assistance to third States affected by the application of sanctions under Chapter VII of the Charter and the implementation of the provisions of resolution 50/51, taking into account the reports of the Secretary-General and the proposals presented and views expressed in the Special Committee.

6. At its 30th meeting, on 1 November, the Sixth Committee decided to establish a Working Group to consider the issues raised in paragraph 5 above. The Committee elected Ms. Socorro Flores (Mexico) as the Chairman of the Working Group, which held four meetings, from 18 to 26 November.

7. At the 49th meeting, on 27 November, the Chairman of the Working Group presented an oral report on the work of the Working Group (see A/C.6/51/SR.49).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.6/51/L.18

8. At the 49th meeting, on 27 November, the Chairman of the Working Group introduced a draft resolution entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions" (A/C.6/51/L.18).

9. At the same meeting, the Committee adopted draft resolution A/C.6/51/L.18 without a vote (see para. 14, draft resolution I).

B. Draft resolution A/C.6/51/L.20

10. At the 50th meeting, on 29 November, the representative of Egypt, on behalf of Egypt, the United Republic of Tanzania and Venezuela, later joined by Brazil, Ecuador, Finland, Kenya, New Zealand, Nigeria, the Philippines, Portugal, Tunisia and Zambia, introduced a draft resolution entitled "Report of the

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[1] Official Records of the General Assembly, Fifty-first Session, Supplement No. 33 (A/51/33).

Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" (A/C.6/51/L.20).

11. The Committee also had before it a statement (A/C.6/51/L.21) of programme budget implications of the draft resolution, prepared by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly.

12. At the same meeting, the Committee adopted draft resolution A/C.6/51/L.20 without a vote (see para. 14, draft resolution II).

13. The representative of the United States of America did not participate in the decision and made a statement in explanation of position (see A/C.6/51/SR.50).

III. RECOMMENDATIONS OF THE SIXTH COMMITTEE

14. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions

The General Assembly,

Concerned with the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution to those problems, in accordance with Article 50 of the Charter,

Recognizing the desirability of the consideration of further appropriate procedures for consultations to deal in a more effective manner with the problems referred to in Article 50 of the Charter,

Recalling also:

(a) The report of the Secretary-General, entitled "An Agenda for Peace",[2] in particular paragraph 41 thereof;

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[2] A/47/277-S/24111.

(b) Its resolutions 47/120 A of 18 December 1992, entitled "An Agenda for Peace: preventive diplomacy and related matters", and 47/120 B of 20 September 1993, entitled "An Agenda for Peace", in particular section IV thereof, entitled "Special economic problems arising from the implementation of preventive or enforcement measures";

(c) The position paper of the Secretary-General, entitled "Supplement to an Agenda for Peace";[4]

(d) The statement of the President of the Security Council of 22 February 1995;[4]

(e) The report of the Secretary-General prepared pursuant to the note by the President of the Security Council[5] regarding the question of special economic problems of States as a result of sanctions imposed under Chapter VII of the Charter;[6]

(f) The reports of the Secretary-General on economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro);[7]

(g) The 1994,[8] 1995[9] and 1996[10] reports of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization containing sections on the consideration by the Committee of the proposals presented on the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter;

(h) The report of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter,[11]

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[4] A/50/60-S/1995/1.

[4] S/PRST/1995/9.

[5] S/25036.

[6] A/48/573-S/26705.

[7] A/49/356, A/50/423 and A/51/356.

[8] Official Records of the General Assembly, Forty-ninth Session, Supplement No. 33 (A/49/33).

[9] Ibid., Fiftieth Session, Supplement No. 33 (A/50/33).

[10] Ibid., Fifty-first Session, Supplement No. 33 (A/51/33).

[11] A/50/361.

Taking note of the report of the Secretary-General submitted in accordance with General Assembly resolution 50/51 of 11 December 1995,[12]

Recalling that the question of assistance to third States affected by the application of sanctions has been addressed recently in several forums, including the General Assembly and its subsidiary organs and the Security Council,

Recalling also the measures taken by the Security Council in accordance with the statement of the President of the Security Council of 16 December 1994[13] as part of the Council's effort to improve the flow of information and the exchange of ideas between members of the Council and other States Members of the United Nations, that there should be increased recourse to open meetings, in particular at an early stage in its consideration of a subject,

Stressing that in the formulation of sanctions regimes, due account should be taken of the potential effects of sanctions on third States,

Stressing also in this context the powers of the Security Council under Chapter VII of the Charter and the Council's principal responsibility under Article 24 of the Charter for the maintenance of international peace and security in order to ensure prompt and effective action by the United Nations,

Recalling that, under Article 31 of the Charter, any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected,

Recognizing that the imposition of sanctions under Chapter VII has been causing special economic problems in third States,

Recognizing also that assistance to third States affected by the application of sanctions would further contribute to an effective and comprehensive approach by the international community to sanctions imposed by the Security Council,

Recognizing further that the international community at large and, in particular, international institutions involved in providing economic and financial assistance should continue to take into account and address in a more effective manner the special economic problems of affected third States arising from the carrying out of preventive or enforcement measures taken by the Security Council under Chapter VII of the Charter, in view of their magnitude and of the adverse impact on the economy of those States,

Recalling the provisions of its resolution 50/51,

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[12] A/51/317.

[13] S/PRST/1994/81.

1. Underlines the importance of consultations under Article 50 of the Charter of the United Nations, as early as possible, with third States which are or may be confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council under Chapter VII of the Charter and of early and regular assessments, as appropriate, of their impact on such States;

2. Invites the Security Council to consider the establishment of further mechanisms or procedures, as appropriate, for such consultations with regard to a solution of those problems, including appropriate ways and means for increasing the effectiveness of its working methods and procedures applied in the consideration of the requests by the affected countries for assistance, in the context of Article 50 of the Charter;

3. Welcomes the further measures taken by the Security Council since the adoption of General Assembly resolution 50/51 and aimed at increasing the effectiveness and transparency of the sanctions committees, and strongly recommends that the Council continue its efforts further to enhance the functioning of those committees, to streamline their working procedures and to facilitate access to them by representatives of States which find themselves confronted with special economic problems arising from the carrying out of sanctions;

4. Requests the Secretary-General to ensure that the competent units within the Secretariat that he designated to carry out the functions stipulated in paragraph 3 of General Assembly resolution 50/51 develop the capacity and modalities for providing better information and early assessments for the Security Council and its organs, at their request, about actual or potential effects of sanctions on third States which invoke Article 50 of the Charter; such assessments should, as appropriate, identify specific problems and needs of those States and suggest specific ways and means for their alleviation to be included in the recommendations of the Council and appeals by the Secretary-General to the donor community for assistance to the adversely affected States;

5. Also requests the Secretary-General to continue, on the basis of the work already done, efforts with a view to developing a possible methodology for assessing the adverse consequences actually incurred by third States as a result of preventive or enforcement measures, and to utilize for this purpose all the expertise available throughout the United Nations system, including that of the international financial and trade institutions; that methodology, upon appropriate approval, should be made available to interested States which may wish to use it in preparing the data to annex to their applications under Article 50, as well as to the United Nations system, the international financial institutions and the donor community in considering requests for assistance;

6. Further requests the Secretary-General to continue, on a regular basis, to collate and coordinate information about international assistance available to third States affected by the implementation of sanctions and to initiate action to explore innovative and practical measures of assistance to the affected third States, inter alia, through cooperation with relevant institutions and organizations inside and outside the United Nations system;

7. Reaffirms the important role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in mobilizing and monitoring, as appropriate, the economic assistance efforts by the international community and the United Nations system to States confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council and, as appropriate, in identifying solutions to the special economic problems of those States;

8. Invites the organizations of the United Nations system, international financial institutions, other international organizations, regional organizations and Member States to continue to address more specifically and directly, where appropriate, special economic problems of third States affected by sanctions imposed under Chapter VII of the Charter and, for this purpose, to consider improving procedures for consultations to maintain a constructive dialogue with such States, including through regular and frequent meetings as well as, where appropriate, special meetings between the affected third States and the donor community, with the participation of United Nations agencies and other international organizations;

9. Requests the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its session in 1997, to continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration all the related reports of the Secretary-General, the proposals submitted on this subject, the debate on this question which took place in the Sixth Committee at the fifty-first session of the General Assembly and the debate in the sub-group on sanctions of the Open-ended Working Group on an Agenda for Peace during the fiftieth session of the General Assembly, and also the implementation of the provisions of the present resolution;

10. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-second session.

DRAFT RESOLUTION II

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Bearing in mind the provisions of its resolution 50/55 of 11 December 1995,

Conscious of the ongoing discussion in the open-ended working groups of the General Assembly dealing with the various aspects of the revitalization, strengthening and reform of the work of the United Nations,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council[14] and the report of the Open-ended High-level Working Group on the Strengthening of the United Nations System,[15]

Bearing in mind the reports of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh,[16] thirty-ninth,[17] fortieth,[18] forty-first,[19] forty-second,[20] forty-third,[21] forty-fourth,[22] forty-fifth,[23] forty-sixth,[24] forty-seventh,[25] forty-eighth,[26]

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[14] Official Records of the General Assembly, Fiftieth Session, Supplement No. 47 and addendum (A/50/47 and Add.1).

[15] Ibid., Supplement No. 24 (A/50/24).

[16] Ibid., Thirty-seventh Session, Supplement No. 1 (A/37/1).

[17] Ibid., Thirty-ninth Session, Supplement No. 1 (A/39/1).

[18] Ibid., Fortieth Session, Supplement No. 1 (A/40/1).

[19] Ibid., Forty-first Session, Supplement No. 1 (A/41/1).

[20] Ibid., Forty-second Session, Supplement No. 1 (A/42/1).

[21] Ibid., Forty-third Session, Supplement No. 1 (A/43/1).

[22] Ibid., Forty-fourth Session, Supplement No. 1 (A/44/1).

[23] Ibid., Forty-fifth Session, Supplement No. 1 (A/45/1).

[24] Ibid., Forty-sixth Session, Supplement No. 1 (A/46/1).

[25] Ibid., Forty-seventh Session, Supplement No. 1 (A/47/1).

[26] Ibid., Forty-eighth Session, Supplement No. 1 (A/48/1).

forty-ninth,[27] fiftieth[28] and fifty-first[29] sessions, as well as the views and comments expressed on them by Member States,

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also the provisions of its resolution 50/51 of 11 December 1995 on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions,

Taking note of the report of the Secretary-General submitted in accordance with resolution 50/51,[30]

Mindful of the desirability for the Special Committee to carry out further work in the fields of the maintenance of international peace and security and the peaceful settlement of disputes between States,

Recalling its resolution 50/52 of 11 December 1995,

Having considered the report of the Special Committee on the work of its session held in 1996,[31]

1. Takes note of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[31]

2. Decides that the Special Committee will hold its next session from 27 January to 7 February 1997;

3. Requests the Special Committee, at its session in 1997, in accordance with paragraph 5 of resolution 50/52:

(a) To accord appropriate time for the consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 1997, including the revised proposal on the strengthening of the role of the United Nations in the maintenance of international peace and security, the revised working paper on the strengthening of the role of the United Nations in the maintenance of international peace and

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[27] Ibid., Forty-ninth Session, Supplement No. 1 (A/49/1).

[28] Ibid., Fiftieth Session, Supplement No. 1 (A/50/1).

[29] Ibid., Fifty-first Session, Supplement No. 1 (A/51/1).

[30] A/51/317.

[31] Official Records of the General Assembly, Fifty-first Session, Supplement No. 33 (A/51/33).

security and strengthening of the role of the Organization and enhancing its effectiveness,[32] and the working paper on the draft declaration on the basic principles and criteria for the work of the United Nations peacekeeping missions and mechanisms for the prevention and settlement of crises and conflicts;[33]

(b) To continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration the reports of the Secretary-General,[34] the proposals submitted on this subject, the debate on this question which took place in the Sixth Committee at the fifty-first session of the General Assembly and the debate in the sub-group on sanctions of the Open-ended Working Group on an Agenda for Peace during the fiftieth session of the General Assembly, and also the implementation of the provisions of General Assembly resolutions 50/51 and 51/...;

(c) To continue its work on the question of the peaceful settlement of disputes between States and, in this context, to continue its consideration of proposals relating to the peaceful settlement of disputes between States, including the proposal on the establishment of a dispute settlement service offering or responding with its services early in disputes and those proposals relating to the enhancement of the role of the International Court of Justice;

(d) To continue to consider proposals concerning the Trusteeship Council in the light of the report of the Secretary-General[35] submitted in accordance with resolution 50/55 and the views of the States expressed on this subject during the fifty-first session of the General Assembly;

4. Requests the Secretary-General, taking into account the views expressed and the practical suggestions made during the debates held within the framework of the Sixth Committee,[36] to expedite the preparation and publication of the Supplements to the Repertoire of the Practice of the Security Council and the Repertory of Practice of United Nations Organs and to submit a progress report on the matter to the General Assembly before its fifty-second session;

5. Invites the Special Committee at its session in 1997 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations, to discuss how to offer its assistance to the working groups of the General Assembly in

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[32] See Official Records of the General Assembly, Fiftieth Session, Supplement No. 33 (A/50/33), para. 47.

[33] Ibid., Fifty-first Session, Supplement No. 33 (A/51/33), para. 128.

[34] A/48/573-S/26705, A/49/356, A/50/60-S/1995/1, A/50/423, A/50/361 and A/51/317.

[35] A/50/1011.

[36] See A/C.6/51/SR.5.

this field and, in this regard, to consider ways and means of improving coordination between the Special Committee and other working groups dealing with the reform of the Organization, including the role of the Chairperson of the Special Committee for this purpose;

6. Requests the Special Committee to submit a report on its work to the General Assembly at the fifty-second session;

7. Decides to include in the provisional agenda of its fifty-second session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

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MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

Report of the Sixth Committee

Rapporteur: Ms. Pascaline BOUM (Cameroon)

I. INTRODUCTION

1. The item entitled "Measures to eliminate international terrorism" was included in the provisional agenda of the fifty-first session of the General Assembly pursuant to Assembly resolution 50/53 of 11 December 1995.

2. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 10th, 11th, 30th and 50th meetings, on 3 and 4 October and 1 and 29 November 1996. The summary records of those meetings contain the views of the representatives who spoke during the Committee's consideration of the item (A/C.6/51/SR.10, 11, 30 and 50).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General (A/51/336 and Add.1);

(b) Letters dated 26 February and 4 March 1996 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/51/70-S/1996/135 and A/51/74-S/1996/163);

(c) Letter dated 21 March 1996 from the representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of

America to the United Nations addressed to the Secretary-General (A/51/84-S/1996/211);

(d) Letter dated 20 March 1996 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General transmitting the Trujillo Act and the Protocol Amending the Cartagena Agreement, signed at Trujillo, Peru, on 10 March 1996 by the Heads of State of Bolivia, Colombia, Ecuador and Peru, the Personal Representative of the President of Venezuela and the President of Panama as an observer (A/51/87);

(e) Letter dated 5 July 1996 from the Permanent Representative of France to the United Nations addressed to the Secretary-General transmitting the final document of the Summit meeting of the group of seven major industrialized countries, held at Lyon, France, from 27 to 29 June 1996 (A/51/208-S/1996/543);

(f) Letter dated 28 May 1996 from the Charge d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General transmitting the results of the 95th Conference of the Inter-Parliamentary Union, held at Istanbul from 12 to 20 April 1996 (A/51/210);

(g) Letter dated 16 July 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Oman to the United Nations addressed to the Secretary-General transmitting the final communiqué issued by the Ministers for Foreign Affairs of the Damascus Declaration States at the conclusion of their thirteenth meeting, held at Muscat, Oman, on 13 and 14 July 1996 (A/51/216-S/1996/563);

(h) Letter dated 1 August 1996 from the Permanent Representative of France to the United Nations addressed to the Secretary-General transmitting the official document adopted by the Ministerial Conference on Terrorism, held in Paris on 30 July 1996 (A/51/261);

(i) Letter dated 12 August 1996 from the Permanent Representative of Ethiopia to the United Nations addressed to the Secretary-General (A/51/284);

(j) Letter dated 17 September 1996 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/51/374);

(k) Letter dated 17 September 1996 from the Permanent Representative of Oman to the United Nations addressed to the Secretary-General transmitting a press release issued by the Ministerial Council of the Gulf Cooperation Council at its sixtieth session, held at Riyadh on 7 and 8 September 1996 (A/51/387-S/1996/767);

(l) Letter dated 30 September 1996 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General transmitting the communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries to the fifty-first session of the General Assembly, held in New York on 25 September 1996 (A/51/473-S/1996/839);

(m) Letter dated 5 November 1996 from the representatives of Azerbaijan, Kazakstan, Kyrgyzstan, Turkey, Turkmenistan and Uzbekistan to the United Nations

addressed to the Secretary-General transmitting the Tashkent Declaration, adopted on 21 October 1996 at the fourth summit meeting of the Heads of State of the Turkish-speaking countries (A/51/664-S/1996/930);

(n) Letter dated 9 October 1996 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General (A/C.6/51/3);

(o) Note verbale dated 8 November 1996 from the Permanent Mission of Azerbaijan addressed to the Secretary-General (A/C.6/51/5);

(p) Letter dated 1 November 1996 from the Permanent Representative of India to the United Nations addressed to the Secretary-General transmitting the text of a draft international convention on the suppression of terrorism prepared by the Government of India (A/C.6/51/6);

(q) Note verbale dated 11 October 1996 from the Permanent Representative of the Philippines to the United Nations addressed to the Secretary-General transmitting the Baguio Communiqué, issued by the International Conference on Counter-Terrorism, held at Baguio City, the Philippines, from 18 to 21 February 1996 (A/C.6/51/9).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/51/L.15 AND REV.1

5. On 22 November, the Committee had before it a draft resolution, submitted on the basis of informal consultations, entitled "Measures to eliminate international terrorism" (A/C.6/51/L.15), which read:

"The General Assembly,

"Recalling its resolution 49/60 of 9 December 1994, by which it adopted the Declaration on Measures to Eliminate International Terrorism, and its resolution 50/53 of 11 December 1995,

"Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[1]

"Guided by the purposes and principles of the Charter of the United Nations,

"Deeply disturbed by the persistence of terrorist acts, which have taken place worldwide,

"Stressing the need further to strengthen international cooperation between States and between international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed,

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[1] Resolution 50/6.

"Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism,

"Noting in this context all regional and international efforts to combat international terrorism, including those of the Organization of African Unity, the Organization of American States, the Organization of the Islamic Conference, the South Asian Association for Regional Cooperation, the European Union, the Council of Europe, the Movement of Non-Aligned Countries and the countries of the Group of Seven and the Russian Federation,

"Noting also the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on educational activities under the project 'Towards a culture of peace',[2]

"Recalling that in the Declaration on Measures to Eliminate International Terrorism the General Assembly encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there was a comprehensive legal framework covering all aspects of the matter,

"Bearing in mind the possibility of considering in the future the elaboration of a global international convention,

"Noting that terrorist attacks by means of bombs, explosives or other incendiary or lethal devices have become increasingly widespread, and recognizing the need to supplement the existing legal instruments in order to address specifically the problem of terrorist attacks carried out by such means,

"Stressing the need to enhance international cooperation to prevent the use of nuclear materials for terrorist purposes and to develop an appropriate legal instrument,

"Stressing also the need to strengthen international cooperation to prevent the use of chemical and biological materials for terrorist purposes,

"Convinced of the need to implement effectively and supplement the provisions of the Declaration on Measures to Eliminate International Terrorism,

"Having examined the report of the Secretary-General,[3]

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[2] A/51/395, annex.

[3] A/51/336 and Add.1.

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"1. "Strongly condemns all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed;

"2. Reiterates that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them;

"3. Calls upon all States to adopt further measures in accordance with the relevant provisions of international law and international standards of human rights to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider the adoption of measures such as those contained in the official document of the Ministerial Conference on Terrorism of the Countries of the Group of Seven and the Russian Federation held in Paris on 30 July 1996[4] and the plan of action adopted by the Inter-American Specialized Conference on Terrorism held at Lima from 23 to 26 April 1996 in the framework of the Organization of American States,[5] and, in particular, calls upon all States to:

"(a) Recommend that relevant security officials undertake consultations to improve the capability of Governments to prevent, investigate and respond to terrorist attacks on public facilities, in particular means of public transport, and to cooperate with other Governments in this respect;

"(b) Accelerate research and development regarding methods of detection of explosives and other harmful substances that can cause death or injury, and undertake consultations on the development of standards for marking explosives in order to identify their origin in post-blast investigations, and promote cooperation, transfer of technology, equipment and related materials, where appropriate;

"(c) Note the risk of terrorists using electronic or wire communications systems and networks to carry out criminal acts and the need to find means, consistent with national law, to prevent such criminality and to promote cooperation where appropriate;

"(d) Investigate, when sufficient justification exists according to national laws, and acting within their jurisdiction and through appropriate channels of international cooperation, the abuse of organizations, groups or associations, including those with charitable, social or cultural goals, by terrorists using them as a cover for their own activities;

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[4] A/51/261, annex.

[5] A/51/336, para. 57.

"(e) Develop if necessary, especially by entering into bilateral and multilateral agreements and arrangements, mutual legal assistance procedures aimed at facilitating and speeding investigations and collecting evidence, as well as cooperation between law enforcement agencies in order to detect and prevent terrorist acts;

"(f) Take steps to prevent and counteract, through appropriate domestic measures, the financing of terrorists and terrorist organizations, whether such financing is direct or indirect through organizations which also have or claim to have charitable, social or cultural goals, or which are also engaged in unlawful activities such as illicit arms trafficking, drug dealing and racketeering, including the exploitation of persons for purposes of funding terrorist activities, and in particular to consider, where appropriate, adopting regulatory measures to prevent and counteract movements of funds suspected to be intended for terrorist purposes without impeding in any way the freedom of legitimate capital movements and to intensify the exchange of information concerning international movements of such funds;

"4. Also calls upon all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in doing so, to avoid the dissemination of inaccurate or unverified information;

"5. Reiterates its call upon States to refrain from financing, encouraging, training for or otherwise supporting terrorist activities;

"6. Urges all States that have not yet done so to consider, as a matter of priority, becoming parties to the Convention on Offences and Certain Other Acts committed on Board Aircraft, signed at Tokyo on 14 September 1963,[6] the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970,[7] the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, concluded at Montreal on 23 September 1971,[8] the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted in New York on 14 December 1973,[9] the International Convention against the Taking of Hostages, adopted in New York on 17 December 1979,[10] the Convention on the

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[6] United Nations, Treaty Series, vol. 704, No. 10106.

[7] Ibid., vol. 860, No. 12325.

[8] Ibid., vol. 974, No. 14118.

[9] Ibid., vol. 1035, No. 15410.

[10] General Assembly resolution 34/146, annex.

Physical Protection of Nuclear Material, signed at Vienna on 3 March 1980,[11] the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988,[12] the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988,[13] the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on 10 March 1988,[14] and the Convention on the Marking of Plastic Explosives for the Purpose of Detection, done at Montreal on 1 March 1991,[15] and calls upon all States to enact, as appropriate, domestic legislation necessary to implement the provisions of these Conventions and Protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts and to provide support and assistance to other Governments for these purposes;

II

"7. Reaffirms the Declaration on Measures to Eliminate International Terrorism, annexed to resolution 49/60;

"8. Approves the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, the text of which is annexed to the present resolution;

III

"9. Decides to establish an Ad Hoc Committee, open to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, to elaborate an international convention for the suppression of terrorist bombings and, subsequently, an international convention for the suppression of acts of nuclear terrorism, to supplement related existing international instruments; thereafter to address means of further developing a comprehensive legal framework of conventions dealing with international terrorism;

"10. Decides also that the Ad Hoc Committee will meet from 24 February to 7 March 1997 to prepare the text of a draft international convention for the suppression of terrorist bombings, and recommends that work continue during the fifty-second session of the General Assembly from 22 September

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[11] International Legal Materials, vol. XVIII, p. 1419.

[12] ICAO document DOC 9518, reprinted in ibid., vol. XXVII, p. 627.

[13] Ibid., p. 672.

[14] Ibid., p. 685.

[15] S/22393, annex I; International Legal Materials, vol. XXX, p. 721.

to 3 October 1997 in the framework of a working group of the Sixth Committee;

"11. Requests the Secretary-General to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

"12. Requests the Ad Hoc Committee to report to the General Assembly at its fifty-second session on progress made towards the elaboration of the draft convention;

"13. Recommends that the Ad Hoc Committee be convened in 1998 to continue its work as referred to in paragraph 9 above;

IV

"14. Decides to include in the provisional agenda of its fifty-second session the item entitled 'Measures to eliminate international terrorism'.

"ANNEX

"Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism

"The General Assembly,

"Guided by the purposes and principles of the Charter of the United Nations,

"Recalling the Declaration on Measures to Eliminate International Terrorism adopted by the General Assembly in its resolution 49/60 of 9 December 1994,

"Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[16]

"Deeply disturbed by the worldwide persistence of acts of international terrorism in all its forms and manifestations, including those in which States are directly or indirectly involved, which endanger or take innocent lives, have a deleterious effect on international relations and may jeopardize the security of States,

"Underlining the importance of States developing extradition agreements or arrangements as necessary in order to ensure that those responsible for terrorist acts are brought to justice,

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[16] Resolution 50/6.

"Noting that the Convention relating to the Status of Refugees, done at Geneva on 28 July 1951,[17] does not provide a basis for the protection of perpetrators of terrorist acts, also noting in this context articles 1, 2, 32 and 33 of the Convention, and emphasizing in this regard the need for States parties to ensure the proper application of the Convention,

"Stressing the importance of full compliance by States with their obligations under the provisions of the 1951 Convention and the 1967 Protocol relating to the Status of Refugees,[18] including the principle of non-refoulement of refugees to places where their life or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion, and affirming that the present Declaration does not affect the protection afforded under the terms of the Convention and Protocol and other provisions of international law,

"Recalling article 4 of the Declaration on Territorial Asylum adopted by the General Assembly in its resolution 2312 (XXII) of 14 December 1967,

"Stressing the need further to strengthen international cooperation between States in order to prevent, combat and eliminate terrorism in all its forms and manifestations,

"Solemnly declares the following:

"1. The States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed, including those which jeopardize friendly relations among States and peoples and threaten the territorial integrity and security of States;

"2. The States Members of the United Nations reaffirm that acts, methods and practices of terrorism are contrary to the purposes and principles of the United Nations; they declare that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

"3. The States Members of the United Nations reaffirm that States should take appropriate measures in conformity with the relevant provisions of national and international law and international standards of human rights before granting refugee status, for the purpose of ensuring that the asylum-seeker has not participated in terrorist acts, considering in this regard relevant information as to whether the asylum-seeker is subject to investigation or is charged with or has been convicted of offences connected with terrorism and, after granting refugee status, for the purpose of ensuring that that status is not used for the purpose of preparing or organizing terrorist acts intended to be committed against other States or their citizens;

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[17] United Nations, Treaty Series, vol. 189, No. I-2545.

[18] Ibid., vol. 606, No. I-8791.

"4. The States Members of the United Nations emphasize that asylum-seekers who are awaiting the processing of their asylum applications may not thereby avoid prosecution for terrorist acts;

"5. The States Members of the United Nations reaffirm the importance of ensuring effective cooperation between Member States so that those who have participated in terrorist acts, including their financing, planning or incitement, are brought to justice; they stress their commitment, in conformity with the relevant provisions of international law and international standards of human rights, to work together to prevent, combat and eliminate terrorism and to take all appropriate steps under their domestic laws either to extradite terrorists or to submit their cases to the competent authorities for the purpose of prosecution;

"6. In this context, and while recognizing the sovereign rights of States in extradition matters, States are encouraged, when concluding or implementing extradition agreements, not to regard as political offences excluded from the scope of those agreements offences connected with terrorism which endanger or represent a physical threat to the safety and security of persons, whatever the motives which may be invoked to justify them;

"7. States are also encouraged, even in the absence of a treaty, to consider facilitating the extradition of persons suspected of having committed terrorist acts, insofar as their national laws permit;

"8. The States Members of the United Nations emphasize the importance of taking steps to share expertise and information about terrorists, their movements, their support and their weapons, and to share information regarding the investigation and prosecution of terrorist acts."

6. At the 50th meeting, on 29 November, the representative of Argentina introduced a revised draft resolution proposed by the Chairman of the Committee (A/C.6/51/L.15/Rev.1).

7. The Committee also had before it a statement (A/C.6/51/L.23) of the programme budget implications of draft resolution A/C.6/51/L.15/Rev.1, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly.

8. At the same meeting, the Committee adopted draft resolution A/C.6/51/L.15/Rev.1 without a vote (see para. 11).

9. The representatives of Costa Rica, Cuba, the Islamic Republic of Iran, Israel, Lebanon, the Libyan Arab Jamahiriya, Liechtenstein, Malaysia, Mexico, New Zealand, Nigeria, Norway, Pakistan, the Sudan, Sweden, the Syrian Arab Republic and Viet Nam made statements in explanation of position (see A/C.6/51/SR.50).

10. The representatives of the United States of America and China did not participate in the decision and made statements in explanation of position (see A/C.6/51/SR.50).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

11. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Measures to eliminate international terrorism

The General Assembly,

Recalling its resolution 49/60 of 9 December 1994, by which it adopted the Declaration on Measures to Eliminate International Terrorism, and its resolution 50/53 of 11 December 1995,

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[19]

Guided by the purposes and principles of the Charter of the United Nations,

Deeply disturbed by the persistence of terrorist acts, which have taken place worldwide,

Stressing the need further to strengthen international cooperation between States and between international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism,

Noting in this context all regional and international efforts to combat international terrorism, including those of the Organization of African Unity, the Organization of American States, the Organization of the Islamic Conference, the South Asian Association for Regional Cooperation, the European Union, the Council of Europe, the Movement of Non-Aligned Countries and the countries of the group of seven major industrialized countries and the Russian Federation,

Taking note of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on educational activities under the project entitled "Towards a culture of peace",[20]

Recalling that in the Declaration on Measures to Eliminate International Terrorism the General Assembly encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of

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[19] Resolution 50/6.

[20] A/51/395, annex.

ensuring that there was a comprehensive legal framework covering all aspects of the matter,

Bearing in mind the possibility of considering in the future the elaboration of a comprehensive convention on international terrorism,

Noting that terrorist attacks by means of bombs, explosives or other incendiary or lethal devices have become increasingly widespread, and stressing the need to supplement the existing legal instruments in order to address specifically the problem of terrorist attacks carried out by such means,

Recognizing the need to enhance international cooperation to prevent the use of nuclear materials for terrorist purposes and to develop an appropriate legal instrument,

Recognizing also the need to strengthen international cooperation to prevent the use of chemical and biological materials for terrorist purposes,

Convinced of the need to implement effectively and supplement the provisions of the Declaration on Measures to Eliminate International Terrorism,

Having examined the report of the Secretary-General,[21]

I

1. Strongly condemns all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed;

2. Reiterates that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them;

3. Calls upon all States to adopt further measures in accordance with the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider the adoption of measures such as those contained in the official document adopted by the group of seven major industrialized countries and the Russian Federation at the Ministerial Conference on Terrorism, held in Paris on 30 July 1996[22] and the plan of action adopted by the Inter-American Specialized Conference on Terrorism held at Lima from 23 to 26 April 1996 under the auspices of the Organization of American States,[23] and, in particular, calls upon all States:

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[21] A/51/336 and Add.1.

[22] A/51/261, annex.

[23] A/51/336, para. 57.

(a) To recommend that relevant security officials undertake consultations to improve the capability of Governments to prevent, investigate and respond to terrorist attacks on public facilities, in particular means of public transport, and to cooperate with other Governments in this respect;

(b) To accelerate research and development regarding methods of detection of explosives and other harmful substances that can cause death or injury, undertake consultations on the development of standards for marking explosives in order to identify their origin in post-blast investigations, and promote cooperation and transfer of technology, equipment and related materials, where appropriate;

(c) To note the risk of terrorists' using electronic or wire communications systems and networks to carry out criminal acts and the need to find means, consistent with national law, to prevent such criminality and to promote cooperation where appropriate;

(d) To investigate, when sufficient justification exists according to national laws, and acting within their jurisdiction and through appropriate channels of international cooperation, the abuse of organizations, groups or associations, including those with charitable, social or cultural goals, by terrorists using them as a cover for their own activities;

(e) To develop, if necessary, especially by entering into bilateral and multilateral agreements and arrangements, mutual legal assistance procedures aimed at facilitating and speeding investigations and collecting evidence, as well as cooperation between law enforcement agencies in order to detect and prevent terrorist acts;

(f) To take steps to prevent and counteract, through appropriate domestic measures, the financing of terrorists and terrorist organizations, whether such financing is direct or indirect through organizations which also have or claim to have charitable, social or cultural goals, or which are also engaged in unlawful activities such as illicit arms trafficking, drug dealing and racketeering, including the exploitation of persons for purposes of funding terrorist activities, and in particular to consider, where appropriate, adopting regulatory measures to prevent and counteract movements of funds suspected to be intended for terrorist purposes without impeding in any way the freedom of legitimate capital movements and to intensify the exchange of information concerning international movements of such funds;

4. Also calls upon all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

5. Reiterates its call upon States to refrain from financing, encouraging, training for or otherwise supporting terrorist activities;

6. Urges all States that have not yet done so to consider, as a matter of priority, becoming parties to the Convention on Offences and Certain Other Acts

Committed on Board Aircraft,[24] signed at Tokyo on 14 September 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft,[25] signed at The Hague on 16 December 1970, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation,[26] concluded at Montreal on 23 September 1971, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents,[27] adopted in New York on 14 December 1973, the International Convention against the Taking of Hostages,[28] adopted in New York on 17 December 1979, the Convention on the Physical Protection of Nuclear Material,[29] signed at Vienna on 3 March 1980, the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation,[30] signed at Montreal on 24 February 1988, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation,[31] done at Rome on 10 March 1988, the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf,[32] done at Rome on 10 March 1988, and the Convention on the Marking of Plastic Explosives for the Purpose of Detection,[33] done at Montreal on 1 March 1991, and calls upon all States to enact, as appropriate, domestic legislation necessary to implement the provisions of those Conventions and Protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts and to provide support and assistance to other Governments for those purposes;

II

7. Reaffirms the Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 49/60;

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[24] United Nations, Treaty Series, vol. 704, No. 10106.

[25] Ibid., vol. 860, No. 12325.

[26] Ibid., vol. 974, No. 14118.

[27] Ibid., vol. 1035, No. 15410.

[28] Resolution 34/146, annex.

[29] United Nations Treaty Series, vol. 1456, No. 24631.

[30] International Civil Aviation Organization document DOC 9518.

[31] International Maritime Organization, document SUA/CONF/15/Rev.1.

[32] Ibid., document SUA/CONF/15/Rev.1.

[33] S/22393, annex I; see Official Records of the Security Council, Forty-sixth year, Supplement for January, February and March 1991.

8. Approves the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, the text of which is annexed to the present resolution;

III

9. Decides to establish an ad hoc committee, open to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, to elaborate an international convention for the suppression of terrorist bombings and, subsequently, an international convention for the suppression of acts of nuclear terrorism, to supplement related existing international instruments, and thereafter to address means of further developing a comprehensive legal framework of conventions dealing with international terrorism;

10. Decides also that the Ad Hoc Committee will meet from 24 February to 7 March 1997 to prepare the text of a draft international convention for the suppression of terrorist bombings, and recommends that work continue during the fifty-second session of the General Assembly from 22 September to 3 October 1997 in the framework of a working group of the Sixth Committee;

11. Requests the Secretary-General to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

12. Requests the Ad Hoc Committee to report to the General Assembly at its fifty-second session on progress made towards the elaboration of the draft convention;

13. Recommends that the Ad Hoc Committee be convened in 1998 to continue its work as referred to in paragraph 9 above;

IV

14. Decides to include in the provisional agenda of its fifty-second session the item entitled "Measures to eliminate international terrorism".

ANNEX

Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Declaration on Measures to Eliminate International Terrorism adopted by the General Assembly in its resolution 49/60 of 9 December 1994,

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[1]

Deeply disturbed by the worldwide persistence of acts of international terrorism in all its forms and manifestations, including those in which States are directly or indirectly involved, which endanger or take innocent lives, have a deleterious effect on international relations and may jeopardize the security of States,

Underlining the importance of States developing extradition agreements or arrangements as necessary in order to ensure that those responsible for terrorist acts are brought to justice,

Noting that the Convention relating to the Status of Refugees,[34] done at Geneva on 28 July 1951, does not provide a basis for the protection of perpetrators of terrorist acts, also noting in this context articles 1, 2, 32 and 33 of the Convention, and emphasizing in this regard the need for States parties to ensure the proper application of the Convention,

Stressing the importance of full compliance by States with their obligations under the provisions of the 1951 Convention and the 1967 Protocol[35] relating to the Status of Refugees, including the principle of non-refoulement of refugees to places where their life or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group or political opinion, and affirming that the present Declaration does not affect the protection afforded under the terms of the Convention and Protocol and other provisions of international law,

Recalling article 4 of the Declaration on Territorial Asylum adopted by the General Assembly in its resolution 2312 (XXII) of 14 December 1967,

Stressing the need further to strengthen international cooperation between States in order to prevent, combat and eliminate terrorism in all its forms and manifestations,

Solemnly declares the following:

1. The States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed, including those which jeopardize friendly relations among States and peoples and threaten the territorial integrity and security of States;

2. The States Members of the United Nations reaffirm that acts, methods and practices of terrorism are contrary to the purposes and principles of the United Nations; they declare that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

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[34] United Nations, Treaty Series, vol. 189, No. 2545.

[35] Ibid., vol. 606, No. 8791.

3. The States Members of the United Nations reaffirm that States should take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not participated in terrorist acts, considering in this regard relevant information as to whether the asylum-seeker is subject to investigation for or is charged with or has been convicted of offences connected with terrorism and, after granting refugee status, for the purpose of ensuring that that status is not used for the purpose of preparing or organizing terrorist acts intended to be committed against other States or their citizens;

4. The States Members of the United Nations emphasize that asylum-seekers who are awaiting the processing of their asylum applications may not thereby avoid prosecution for terrorist acts;

5. The States Members of the United Nations reaffirm the importance of ensuring effective cooperation between Member States so that those who have participated in terrorist acts, including their financing, planning or incitement, are brought to justice; they stress their commitment, in conformity with the relevant provisions of international law, including international standards of human rights, to work together to prevent, combat and eliminate terrorism and to take all appropriate steps under their domestic laws either to extradite terrorists or to submit the cases to their competent authorities for the purpose of prosecution;

6. In this context, and while recognizing the sovereign rights of States in extradition matters, States are encouraged, when concluding or applying extradition agreements, not to regard as political offences excluded from the scope of those agreements offences connected with terrorism which endanger or represent a physical threat to the safety and security of persons, whatever the motives which may be invoked to justify them;

7. States are also encouraged, even in the absence of a treaty, to consider facilitating the extradition of persons suspected of having committed terrorist acts, insofar as their national laws permit;

8. The States Members of the United Nations emphasize the importance of taking steps to share expertise and information about terrorists, their movements, their support and their weapons, and to share information regarding the investigation and prosecution of terrorist acts.